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From: Curtis C. Panzer

Department: Patent Department - Merck & Co., Inc.

Location/Mail Drop: Rahway, New Jersey USA

Telephone: (732)594-3199

Date: 5/17/2006

To: Examiner Margaret Seaman

Telephone: 571-272-0694

Fax: (571)273-8300

Total number of pages: 21 including fax cover sheet

Subject: Serial No.: 10/517,416
Our Ref.: Docket No. MC050YP
Filing Date: 12/8/2004

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MERCK & CO., INC.

By Date 5-17-2006

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PATENT
CASE NO. MC050YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: D. DESCHENES, ET AL

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Serial No. 10/517,416

Filed December 8, 2004

MAY 17 2006

Group Art Unit 1625

Examiner Seaman, D. Margaret M

For: 8-(BIARYL)QUINOLINE PDE4 INHIBITORS

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

☐ The fee has been calculated as shown below.

CLAIMS AS AMENDED

| (1) | (2) Claims remaining after amendment | (3) | (4) Highest Number Previously Paid For | (5) Present Extra | (6) Rate | (7) Additional Fee |
|--|--|-----|--|-------------------------|-------------|--------------------------|
| Total Claims | * _____ | - | ** <u>20</u> = | <u>0</u> X | \$50 | = <u>0.00</u> |
| Independent Claims | * _____ | - | *** <u>3</u> = | <u>0</u> X | \$200 | = <u>0.00</u> |
| Multiple Dependent Claims | | | | | \$360 **** | = _____ |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | 0.00 |

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

**** Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

Charge \$ 0.00 to Deposit Account No. 13-2755. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2755. A duplicate copy of this sheet is enclosed.

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MERCK & CO., INC.

By: [Signature] Date: 5-17-2006

Respectfully,

[Signature]

By: Curtis C. Panzer

Attorney _____ for Applicant(s)

Reg. No. 33,572

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

Rahway, N.J. 07065-0907

(732) 594-3199

Date: May 17, 2006

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : D. Deschenes, et al.

Serial No. : 10/517,416 Case MCO50YP Art Unit: 1625

Filed : December 8, 2004

For : 8-(BIARYL)QUINOLINE PDE4 INHIBITORS

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE NON-COMPLIANT AMENDMENT

Dear Sir:

This is in response to Notice of Non-compliant Amendment dated May 8, 2006 setting forth a one month period for response ending June 8, 2006.

The original Amendment was filed on April 24, 2006 and was in response to an Office Action dated March 30, 2006, setting forth a shortened statutory period for response ending June 20, 2006.

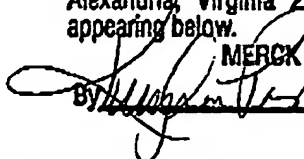
Reconsideration of applicant's claims is requested. Any additional fees required in connection with this application may be taken from Merck Deposit Account No. 13-2755. Please amend the application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 17 of this paper.

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